



City of Chicago
Richard M. Daley, Mayor

Department of Transportation

Thomas R. Walker
Commissioner

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Chicago, Illinois 60602-2570
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February 2, 1999

Mr. Stephen V. Tivy
Manager
KCBX Terminals, Inc.
3259 East 100th Street
Chicago, Illinois 60617

RE: Harbor Permit No. 092-99
Proposed Dike Wall in Slip No. 2 of the Calumet River

Dear Mr. Tivy:

Enclosed herewith is a fully executed Harbor Permit No. 092-99. This permit is for the installation of a new steel sheet-pile cofferdam, filling of the cofferdam and the western most 300 ft. of Slip No. 2 of the Calumet River. The permitted work includes: installation of 130 ft. of new steel sheet-pile cofferdam; backfilling of the cofferdam with crushed stone/slag, installation of timber fenders; and backfilling of the western most 300 ft. of Slip No.2 behind the cofferdam. The project site is located in the Southwest Quarter of Section 7, Township 37 North, Range 15 East of the Third Principal Meridian in Cook County.

The proposed work shall be performed according to the Sheet Nos.: 1 and 2 of 2, prepared by GRC Engineering, Inc., dated June 19, 1998.

In addition to the Harbor Permit from the Chicago Department of Transportation, the permittee is advised that other permits may be required from other City Departments (Environment, Buildings, Planning and Development, etc.), and other concerned agencies.

In no way does the release of this permit indicate our approval of the elements of the proposed improvements or absolve the Engineer, Contractor and the Owner from their respective responsibilities for protecting and liabilities for repairing or replacing any public or private property in the vicinity of the proposed site.

Very truly yours,

Carmen Iacullo
Deputy Commissioner
Bureau of Inspections

cc: Walker
Kinczyk
Iacullo
Chawla
File

James P. Casey, IDNR, Office of Water Resources,
310 S. Michigan Ave., Room 1606, Chicago, IL 60604
Mitchell A. Isoe, Dept. of Army, Chicago District Corps of Engineers,
111 N. Canal St., Chicago, IL 60606-7206

File: Tivy21.vpd & baper92.fm



CITY OF CHICAGO - DEPARTMENT OF TRANSPORTATION

PERMIT NO. 092-99

MUNICIPAL CODE OF CHICAGO

LAWS RELATING TO DOCK CONSTRUCTION, REPAIRING, REBUILDING, PILE DRIVING, DREDGING, TOWING
AND LIKE WORK, IN OR ALONG THE HARBOR

FEE, \$32.50

10-40-010. "Harbor defined"-The harbor shall consist of the Chicago River and its branches to their respective sources and all slips adjacent to and connecting therewith, the Ogden Canal, the Calumet River and its branches and all slips connecting therewith, the waters of Lake Calumet and all slips and basins connected therewith and all piers, breakwaters, and permanent structures therein, the Drainage canal and all piers and basins, and the waters of Lake Michigan, including all breakwaters, piers and permanent structures therein, for a distance of three miles from the shore between the north and south lines of the city extended, to the extent that the above-named waterways are within the territorial limits of the city. The harbor as herein defined shall be subject to the control of the Department of Transportation, and the use thereof shall be governed by this code.

10-40-320. Maintenance of Wharves and Docks. Every owner of premises abutting on the Harbor, or any portion thereof, shall at all times keep and maintain in a state of good repair and in a safe condition all wharves, docks, piers seawalls, slips, riverbank retaining walls, riverbank bulkheads, dolphins, booms, bulkheads, jetties, mooring facilities, pilings, sheeting and other similar structures on or appurtenant to such premises. Every violation of this Section shall constitute a separate and distinct offense for every day such violation shall continue. The Commissioner shall notify in writing such owner of any violation of this Section and direct him to restore or repair such structure within a reasonable time. In addition, any nuisance now existing or which may hereafter result from an owners failure to keep and maintain such wharves, docks, piers, seawalls, slips, riverbank retaining walls, riverbank bulkheads, dolphins, booms, bulkheads, jetties, mooring facilities, pilings, sheeting and other similar structure on or appurtenant to such premises in a state of good repair and in a safe condition shall also be subject to abatement as provided in Chapter 7-28 of this Code.

10-40-330. Construction and repair of structures in harbor. No person shall drive or place or cause to be driven or placed, any pile or piles, stone, timber, earth or other obstruction of any kind whatsoever, in the harbor, or build, construct, or repair any dock therein, or build or cause to be built any bridge or other structure across any part of the harbor, or drive or place, or cause to be driven or placed, any pile or piles of timber, or make any excavation for the purpose of furnishing or laying foundations for any building or structure, at any point within 40 feet of any part of the harbor, without obtaining a special permit in writing from the Commissioner of Transportation so to do. Application for said permission shall be made in writing to the Commissioner of Transportation, and shall be accompanied by a sketch or plat showing the nature of work desired to be done. Upon such application being made and such sketch or plat being furnished as herein required, the Commissioner of Transportation shall issue the permit desired, upon payment of the permit fees hereinafter provided, unless it shall appear that the work to be done will result in unduly obstructing the harbor or in endangering the safety of any dock, pier, breakwater, or other structure located upon or along the harbor.

It shall be the duty of the Commissioner of Transportation to require all persons who may be engaged in repairing, renewing, altering, or constructing any dock within the city to produce a permit from the Department of Transportation, which permit shall specify the character and location of such repairing, renewal, alteration, or construction, and in default of the production of such permit, the Commissioner of Transportation shall at once stop all work on such dock, and shall cause the arrest of any such person engaged in such unlawful repairing, renewal, alteration, or construction. Any such person so arrested shall be fined not less than \$50.00 nor more than \$100.00 for each offense. In the event of any such dock having been repaired, renewed, altered, or constructed in or upon the water area of the harbor of the city, the person thus convicted of a violation of this section, in addition to the fine hereinbefore specified, shall be required at once, and at his own expense, or cost, to remove such dock back to its former location; and, in default of such removal of such dock, the Commissioner of Transportation is hereby authorized to cause such dock to be removed, to such location as he deems best and to recover, from the person so convicted, the cost or expense of such removal.

Also Ordinances of

Permission is hereby granted to KCBX Terminals, Inc. for installation of a new steel sheet-pile cofferdam and backfilling of the western most 300 ft. of Slip No. 2 of the Calumet River. The permitted work includes: installation of 130 ft. of new steel sheet-pile cofferdam, backfilling the cofferdam with crushed stone/slag; installation of timber fenders; and backfilling of the western most 300 ft. of slip No. 2 behind the cofferdam. The proposed work shall be performed according to the sheet Nos.: 1 and 2 of 2 prepared by GRC Engineering, Inc., dated June 19, 1998.

Work thereof to be performed under the following conditions:

1. Nothing shall be done which will interfere with navigation or with the stability of any dock or pier, or make land or damage in any way the interest, or impair the rights or titles of the City of Chicago or the State of Illinois or any other public municipal corporation.
2. The said KCBX Terminals, Inc. is required and by acceptance hereof agrees to hold the City of Chicago harmless against all claims for damages of any character whatsoever arising at any time because of any matter connected with any work covered by it.

Other Permit Requirements:

- a. Illinois Department of Natural Resources (IDNR), Office of Water Resources: Permit No. LM1998016, dated December 21, 1998.
- b. Department of the Army (DOA), Chicago District Corps of Engineers: Permit No. 199800479, dated April 17, 1998.
- c. City of Chicago, Office of Underground Coordination: Review per OUC File No. 16515.
- d. The Permittee is advised that other permits may be required from other City Departments (Departments of Environment, Planning and Development, Buildings, etc.) and other concerned agencies.

Office of the Corporation Counsel

Approved as to form and legality Approval not required per letter of May 19, 1988 (See Permit No. 461-88)

Assistant Corporation Counsel

This permit is issued this 1st day of April, 1999 is revocable at the discretion of the City of Chicago, and is void if any of its conditions is violated or if work under it has not been completed on or before December 31, 1999 after its date.

By authority of the above and other laws.

Recommended by:

Approved:

Commissioner

(PAPERS ON FILE IN OFFICE OF THE DEPARTMENT OF TRANSPORTATION)

We hereby accept this Special Permit and will comply with and be bound by its terms and requirements.

Applicant KCBX Terminals, Inc.By: William E. Hoeyman

NO. 3653 P. 3

KROCH INDUSTRIES

OCT 13 2000 9:31AM



CITY OF CHICAGO
DEPARTMENT OF REVENUE
COMPENSATION UNIT

RECEIVED
DEC 09 1998
KCBX TERMINALS COMPANY

Chicago, Illinois 19 98
Permit No. 42636

Pursuant to an Ordinance passed by the City Council of the City of Chicago on October 7, 19 98, and printed upon page 78998 of the Journal of Proceedings of the City Council of that date, permission and authority are hereby given and granted to KCBX Terminals Company, upon the terms and subject to the conditions of this ordinance, to use and accupy portions of the slip lying adjacent to the Calumet River and south of East 100th Street, such slip being commonly known as "Slip Number 2", for purposes of constructing and maintaining a sediment control facility. Such postions of Slip Number 2 shall be hereinafter referred to as "Public Way". The permission and authority shall be for a period commencing upon the issuance of a permit issued by the Director of Revenue in accordance with Section 8 of this ordinance and extending for a period of five (5) years.

THIS PERMIT IS ISSUED AND ACCEPTED upon the condition that said Slip Lying shall be constructed and maintained in accordance with and subject to all the conditions, stipulations and requirements of the ordinance hereinabove mentioned, and to all orders and ordinances which may be passed by the City Council pertaining to same, and to all orders of the Commissioners of Streets and Sanitation and Transportation, and the Director of Revenue.

THIS PERMIT IS REVOCABLE by the Director of Revenue at any time.

Department of Revenue, City of Chicago

By: 

(FOR)

Hugh P. Murphy
Director of Revenue

GRC-145916-45-1